## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

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belowe Date

November 13, 2009

/Diane Enstein/

Diane Bostein

## COMMUNICATION UNDER 37 C.F.R. § 1.28(c)(2)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir

Applicants previously paid fees as a small entity, but such fees should have been paid as a large entity. Pursuant to 37 C.F.R. § 1.28(c)(2), Applicants submit payment of the deficiency between the amount of the fee paid as a small entity and the amount that is now due as a large entity. Pursuant to the requirements of 37 C.F.R. § 1.28(c)(2)(i) and (ii), attached as Appendix A is the calculation of the deficiency owed and itemization of the deficiency payment.

The Commissioner is authorized to charge Deposit Account No. 17-0026 in the amount of \$1,740.00, the amount of the fee deficiency as calculated on the attached Appendix A. The Commissioner is hereby authorized to charge payment of any other fee deficiency associated with this communication or credit any overpayment to Deposit Account No. 17-0026. As shown in Appendix B, Applicants submit that the error occurred inadvertently. Applicants request a notice acknowledging that any error arising from fee deficiencies is excused in this application.

The Examiner is invited to call the undersigned agent if there are any questions.

Respectfully submitted,

Dated: November 13, 2009

By: Jefffey Jacops Reg. No. 40,029

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